

June 14, 2002

**SUMMARY OF *EX PARTE*
PRESENTATION**

Marlene Dortch
Secretary
Federal Communications Commission
445 – 12th Street, SW, Room TW A325
Washington, D.C. 20554

Re: ***Review of the Section 251 Unbundling Obligations of Incumbent
Local Exchange Carriers, CC Docket No. 01-338
Review of Regulatory Requirements for Incumbent LEC Broadband
Telecommunications Services, CC Docket No. 01-337***

Dear Ms. Dortch:

On June 13, 2002, the undersigned and Walter B. McCormick, Jr., President and CEO of the United States Telecom Association (USTA), meet with Chairman Michael Powell and Legal Advisor Kyle Dixon concerning the above-referenced proceedings.

Specifically, USTA expressed its view that the inquiries made in the notices of proposed rulemaking in the referenced dockets parallel those inquiries that the Federal Communications Commission (FCC) was directed by the D.C. Circuit Court of Appeals (in *USTA v. FCC*) to make in its evaluation of the network elements that should be unbundled by incumbent local exchange carriers pursuant to Sections 251(c)(3) and 251(d)(2) of the Telecommunications Act of 1996. USTA also expressed its view that further judicial review of the *USTA v. FCC* decision would only serve to delay completion of a necessary review process that is currently underway in the FCC's *Triennial Review* (CC Docket No. 01-338) and *ILEC Broadband Regulation* (CC Docket No. 01-337) proceedings. Delay of this review process is not in the public interest.

Marlene Dortch
June 14, 2002
Page 2

In accordance with FCC Rule 1.1206(b)(2), this Summary of *Ex Parte* Presentation is being filed electronically with your office for inclusion in the records of the above-referenced proceedings. Please contact me at (202) 326-7269 should you have questions.

Sincerely,

/s/Lawrence E. Sarjeant
Lawrence E. Sarjeant
Vice President – Law
and General Counsel